CALEDONIA:

THE Declaration OF THE COUNCIL

Constituted by the *Indian* and *African* Company of *Scotland*; for the Government, and direction of their Colonies, and Settlements in the *Indies*.

THE ſaid Company purſuant to the Powers and Immunities Granted unto them, by His Majeſty of Great *Britain*, our Soveraign Lord, with Advice and Conſent of His Parliament of *Scotland*: having Granted and Conceded unto us and our Succeſſors in the Government for all times hereafter, full Power to equip, ſet out, freight, and navigate, our own or hired Ships, in War-like, or other manner, from any ports or places in Amity, or not in Hoſtility with His Majeſty; to any Lands, Iſlands, Countries, or places in *Aſia*, *Africa*

or *America*: and there to Plant Colonies, build Cities, Towns or Forts in or upon the places not Inhabited, or in or upon any other place by consent of the Natives or Inhabitants thereof, and not possest by any *European* Sovereign, Potentate, Prince, or State; and to provide and furnish the aforesaid Places, Cities, Towns, or Forts, with Magazines, Ordnance, Arms, Weapons, Ammunition and Stores of War; and by force of Arms to defend the same Trade, Navigation, Colonies, Cities, Towns, Forts, Plantations, and other Effects whatsoever; and likewise to make Reprizals, and to seek and take reparation of Damage done by Sea or by Land: and to make and conclude Treaties of Peace, and Commerce with the Sovereign Princes, Estates, Rulers, Governours, or Proprietors of the aforesaid Lands, Islands, Countries, or places in *Asia*, *Africa* or *America*.

And reserving to themselves Five *Per Cent.* or one Twentieth part; of the Lands, Mines, Minerals, Pearls, Stones of Value, precious Woods, and Fishings: have further Conceded and Granted unto us, the free and absolute right and property in and to all such Lands, Islands, Colonies, Cities, Towns, Forts and Plantations as we shall come to, establish, or possess in manner aforesaid; as also to all manner of Treasures, Wealth, Riches, Profits, Mines, Minerals and Fishings, with the whole product and benefit thereof, as well Under as above the Ground, as well in Rivers and Seas, as in the Lands thereunto belonging; or for or by reason of the same in any sort; together with the right of Government and Admiralty thereof; as likewise that all manner of Persons who shall settle to Inhabite, or be born in any such Plantations, Colonies, Cities, Towns, Factories, or places shall be, and be reputed as Natives of the Kingdom of *Scotland*; and generally the said Company have Communicated unto us a Right to all the Powers, Properties and Priviledges Granted unto them by Act of Parliament; or otherwise howsoever, with power to Grant and delegate the same; and to permit and allow such sort of Trade, Commerce, and Navigation unto the Plantations, Colonies, Cities, Towns, and places of our possession, as we shall judge fit and convenient.

And the Chief Captains and Supream Leaders of the People of *Darien*, in compliance with former Agreements, having now in most kind and obliging manner, received us into their Friendship and

their Country, with Promiſe and Contract to aſſiſt and join in defence thereof against ſuch as ſhall be their or our Enemies in any time to come. Which, beſides its being one of the moſt Healthful Rich, and Fruitful Countries upon Earth, hath the advantage of being a Narrow ISTHMUS, Seated in the Heighth of the World, between the two vaſt Oceans, which renders it more convenient than any other for being the common Store-houſe of the Inſearchable and Immenſe Treaſures of the Spacious South Seas, the door of Commerce to *China* and *Japan*, and the Emporium and Staple for the Trade of both *Indies*.

And now by Virtue of the before-mentioned Powers to us given, We do here Settle, and in the Name of GOD Eſtabliſh Our Selves, and in Honour, and for the Memory of that moſt Ancient and Renowned Name of our Mother Kingdom, We do, and will from hence-forward call this Country by the Name of *Caledonia*: and our ſelves, Succeſſors, and Aſſociates, by the name of *Caledonians*.

And ſuitable to the Weight and Greatneſs of the Truſt repoſed, and the Valuable Opportunity now in our hands; being firmly reſolved to communicate and diſpoſe thereof in the moſt juſt and equal manner for Increaſing the Dominions and Subjects of the King Our Soveraign Lord, the Honour and Wealth of our Country, as well as the benefit and advantage of thoſe who now are, or may hereafter be concerned with us: We do hereby Publiſh and Declare, That all manner of Perſons of what Nation or People ſoever, ſhall from hence-forward be equally free and alike capable of the ſaid Properties, Priviledges, Protections, Immunities, and Rights of Government Granted unto us; and the Merchants, & Merchants Ships of all Nations; may freely come to, and Trade with us; without being liable in their Perſons, Goods or Effects, to any manner of Capture, Confiſcation, Seizure, Forfeiture, Attachment, Arreſt, Reſtraint or Prohibition, for or by reaſon of any Embargo, breach of the Peace, Letters of Mark, or Reprizals, Declaration of War with any Forreign Prince, Potentate or State; or upon any other account or pretence whatſoever.

And we do hereby not only Grant, and Concede, and Declare a general and equal freedom of Government and Trade to

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or *America* : and there to Plant Colonies, build Cities, Towns or Forts in or upon the places not Inhabited, or in or upon any other place by consent of the Natives or Inhabitants thereof, and not poſſeſt by any *European* Sovereign, Potentate, Prince, or State; and to provide and furniſh the aforeſaid Places, Cities, Towns, or Forts, with Magazines, Ordnance, Arms, Weapons, Ammunition and Stores of War; and by force of Arms to defend the ſame Trade, Navigation, Colonies, Cities, Towns, Forts, Plantations, and other Effects whatſoever; and likewiſe to make Reprizals, and to ſeek and take reparation of Damage done by Sea or by Land: and to make and conclude Treaties of Peace, and Commerce with the Sovereign Princes, Eſtates, Rulers, Governours, or Proprietors of the aforeſaid Lands, Iſlands, Countries, or places in *Aſia*, *Africa* or *America*.

And reſerving to themſelves Five *Per Cent.* or one Twentieth part; of the Lands, Mines, Minerals, Pearls, Stones of Value, precious Woods, and Fiſhings: have further Conceded and Granted unto us, the free and abſolute right and property in and to all ſuch Lands, Iſlands, Colonies, Cities, Towns, Forts and Plantations as we ſhall come to, eſtabliſh, or poſſeſs in manner aforeſaid; as alſo to all manner of Treaſures, Wealth, Riches, Profits, Mines, Minerals and Fiſhings, with the whole product and benefit thereof, as well Under as above the Ground, as well in Rivers and Seas, as in the Lands thereunto belonging; or for or by reaſon of the ſame in any ſort; together with the right of Government and Admiralty thereof; as likewiſe that all manner of Perſons who ſhall ſettle to Inhabite, or be born in any ſuch Plantations, Colonies, Cities, Towns, Factories, or places ſhall be, and be reputed as Natives of the Kingdom of *Scotland*; and generally the ſaid Company have Communicated unto us a Right to all the Powers, Properties and Priviledges Granted unto them by Act of Parliament; or otherwiſe howſoever, with power to Grant and delegate the ſame; and to permit and allow ſuch ſort of Trade, Commerce, and Navigation unto the Plantations, Colonies, Cities, Towns, and places of our poſſeſſion, as we ſhall judge fit and convenient.

And the Chief Captains and Supream Leaders of the People of *Darien*, in compliance with former Agreements, having now in moſt kind and obliging manner, received us into their Friendſhip and

and Country, with Promiſe and Contract to aſſiſt and join in defence thereof againſt ſuch as ſhall be their or our Enemies in any time to come. Which, beſides its being one of the moſt Healthful Rich, and Fruitful Countries upon Earth, hath the advantage of being a Narrow ISTHMUS, Seated in the Heighth of the World, between the two vaſt Oceans, which renders it more convenient than any other for being the common Store-houſe of the Inſearchable and Immenſe Treaſures of the Spacious South Seas, the door of Commerce to *China* and *Japan*, and the Emporium and Staple for the Trade of both *Indies*.

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And ſuitable to the Weight and Greatneſs of the Truſt repoſed, and the valuable Opportunity now in our hands; being firmly reſolved to communicate and diſpoſe thereof in the moſt juſt and equal manner for Increaſing the Dominions and Subjects of the King Our Soveraign Lord, the Honour and Wealth of our Country, as well as the benefit and advantage of thoſe who now are, or may hereafter be concerned with us: We do hereby Publiſh and Declare, That all manner of Perſons of what Nation or People ſoever, ſhall from hence-forward be equally free and alike capable of the ſaid Properties, Priviledges, Protections, Immunities, and Rights of Government Granted unto us; and the Merchants, &c. Merchants Ships of all Nations; may freely come to, and Trade with us; without being liable in their Perſons, Goods or Effects, to any manner of Capture, Confiſcation, Seizure, Forfeiture, Attachment, Arreſt, Reſtraint or Prohibition, for or by reaſon of any Embargo, breach of the Peace, Letters of Mark, or Reprizals, Declaration of War with any Forreign Prince, Potentate or State; or upon any other account or pretence whatſoever.

And we do hereby not only Grant, and Concede, and Declare a general and equal freedom of Government and Trade to

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thoſe of all Nations, who ſhall hereafter be of, or concerned with us; but alſo a full and free Liberty of Conſcience in matter of Religion, ſo as the ſame be not underſtood, to allow, connive at, or indulge the Blaſpheming of Gods Holy Name, or any of His Divine Attributes; or of the Unhallowing or Prophaning the Sabbath Day.

And finally, as the beſt and ſureſt means to render any Government ſucceſsful, durable and happy; it ſhall (by the help of Almighty God) be ever our conſtant and chiefeſt care; that all our further Conſtitutions, Laws and Ordinances, be conſonant and agreeable to the Holy Scripture, Right Reaſon, and the Examples of the wiſeſt and juſteſt Nations; that from the Truth and Righteouſneſs thereof we may reaſonably hope for, and expect the Bleſſings of Proſperity and Increaſe.

By Order of the Council,

Hugh Roſs *Secretary.*

NEW-EDINBURGH,
December 28.
1698.

Boſton, Printed *May*, 15*th*. 1699.

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